



LEONIDAS RALPH MECHAM  
Director

ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS

CLARENCE A. LEE, JR.  
Associate Director

WASHINGTON, D.C. 20544

January 28, 2005

**MEMORANDUM TO:** JUDGES, UNITED STATES COURTS OF APPEALS  
JUDGES, UNITED STATES DISTRICT COURTS  
UNITED STATES MAGISTRATE JUDGES  
CIRCUIT EXECUTIVES  
FEDERAL PUBLIC/COMMUNITY DEFENDERS  
DISTRICT COURT EXECUTIVES  
CLERKS, UNITED STATES COURTS OF APPEALS  
CLERKS, UNITED STATES DISTRICT COURTS  
SENIOR STAFF ATTORNEYS  
CHIEF PREARGUMENT/CONFERENCE ATTORNEYS

**SUBJECT:** Implementation of a Maximum Hourly Rate Increase for Attorneys Appointed in Capital Cases (**INFORMATION**)

The Fiscal Year 2005 Omnibus Appropriations Act includes, in the federal judiciary's Defender Services appropriation, funds to raise the maximum hourly compensation rate from \$125 to \$160 in capital cases (federal capital prosecutions and capital post-conviction proceedings) for attorneys appointed to represent persons financially unable to obtain adequate representation, pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, and the Antiterrorism and Effective Death Penalty Act of 1996, codified in part in 21 U.S.C. § 848(q).

**The new maximum capital attorney rate of \$160 per hour will apply to work performed on or after February 1, 2005.** Where the appointment of counsel occurred before this effective date, the new maximum capital hourly rate applies to that portion of services provided on or after February 1, 2005.

If you have any questions concerning this matter, please contact the Office of Defender Services, Legal and Policy Branch Duty Attorney, on (202) 502-3030.

A handwritten signature in black ink, reading "Leonidas Ralph Mecham".

Leonidas Ralph Mecham

cc: CJA Panel Attorney District Representatives